Remarks

Section 103 Rejection

The Examiner rejected claim 1 under section 103(a) as being unpatentable over an Internet reference www.candela-inst.com combined with the Applicants' admitted prior art (APA). Applicants respectfully disagree, but claim 1 has been amended to include a second measurement to more clearly distinguish over the prior art. The amendment also clarifies that it is directed to a servo calibration process.

The Examiner cited Berger 6624627 in the rejection of claims 2-5 for the measuring of the 2nd , 3rd and 4th distances as specified in those claims. Berger's abstract states:

A method for indexing magnetic disks by using a scanning probe is disclosed.... The beginning or the end of the written data tracks is defined to be in a co-incident or in a defined relation to an index or trigger signal defined by the rotating spindle. The rotating spindle is stopped from rotation, and a scanning probe microscope is moved radially at a fixed rotating angle to a second radial position. A tip of the scanning probe microscope is moved towards a surface of the magnetic disk. At least one scan line is recorded and analyzed in order to determine if a magnetic track is imaged by the tip of the scanning probe microscope.

Thus, it is clear that Berger teaches a method of **indexing a magnetic disk** that includes stopping the disk to move the probe of a microscope across the disk. See also col. 5, lines 32-33 and figure 7. Applicants claims in contrast are directed to a servo calibration process, and, therefore, not analogous to Berger. Even if Berger is combined with the APA, the claimed invention does not

result.

Conclusions

The applicants have amended the claims to more particularly claim the invention and to more clearly distinguish over the cited references. Applicants respectfully submit that none of the references teach using a Kerr effect device to measure at least two points on a spinning disk for use in servo calibration as claimed. Applicants, therefore, believe that all of the claims in application are allowable.

Respectfully submitted,

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